THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :3791 of 2007

DATED:23-03-2007

BETWEEN:

Smt. T.V.Geetavani & another.

..... PETITIONERS

AND

The Station House Officer,
Rep., by Sarooranagar Police Station,
Rangareddy District & another.

.....RESPONDENTS

ORDER:

Heard the learned counsel for the petitioners as well as the learned Government Pleader for Home appearing for the respondents.

2. Petitioner seeks a writ of mandamus directing the respondents not to interfere with the money lending business of the 1st petitioner and also not to harass the petitioners without following the procedure under law.

3. 1st petitioner is the wife of the 2nd petitioner and they are Gold Smiths by community. It is stated that the 1st petitioner got money lender's licence, dated 30-12-2003, and the same is renewed from year to year. 1st petitioner is carrying on money lending business only to the known persons but not to the unknown persons. In that regard, since the money lent to one N.Venkateshwara Chary has not been repaid, the petitioner filed two cheque bounced cases against the said Venkateshwara Chary which are pending. It is stated that the petitioners never got pledged any gold ornaments and never purchased any gold and they have not committed any offence but the police without any justification illegally interfering with the money lending business of the 1st petitioner and harassing the petitioners without following any due procedure of law.

4. A counter has been filed stating that in fact, one N.Venkatachary lodged a complaint with the 1st respondent making certain allegations against the 2nd petitioner alone based on which Cr.No.7 of 2007 was registered for the offence punishable under Section 384 IPC on 02-01-2007. It is further stated that registration of the said crime was questioned by the petitioners in Crl.P.No.615 of 2007 on the file of this Court, and this Court granted stay and therefore, the investigation was stopped. Insofar as the other allegations against the respondents that they are unnecessarily interfering with the petitioners and their family members and threatening to book false cases to return the gold which is acquired by the petitioner from unknown persons under the guise of recovery of the stolen gold, are all denied. It is stated that the petitioners were never harassed with regard to the alleged gold under the guise of recovery.

5. In view of the aforesaid facts and circumstances of the case, as all the allegations were denied by the respondents, and the validity or otherwise of registering the case in Cr.No.7 of 2007 is the subject matter of Crl.P.No.615 of 2007, no further orders are necessary to be passed in this Writ Petition.

6. Accordingly, the Writ Petition is closed. No order as to costs.

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V.ESWARAIAH, J

23rd March, 2007
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